

JS 44C/SDNY
REV.

10/01/2020

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Bilal Smith

DEFENDANTS

Metropolitan Transportation Authority
Metropolitan Transportation Authority Police Department
Police Officer M. Griggs; John and Jane Does-Police Officers as yet



ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Rubenstein & Rynecki, Esqs.
16 Court Street, Suite 1717
Brooklyn New York 11241
(718) 522-1020

ATTORNEYS (IF KNOWN)
Steve S. Efron
237 West 35th Street - Suite 1502
New York, New York 10001 (212) 867-1067

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 U.S.C. Sec. 1983 Deprivation of Civil Rights

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS

ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY	[] 625 DRUG RELATED SEIZURE OF PROPERTY	[] 422 APPEAL 28 USC 158	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL 28 USC 157	[] 376 QUI TAM
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 690 OTHER		[] 400 STATE REAPPORTIONMENT
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY				[] 410 ANTITRUST
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE LIABILITY	PERSONAL PROPERTY	[] 820 COPYRIGHTS [] 880 DEFEND TRADE SECRETS ACT		[] 430 BANKS & BANKING
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 830 PATENT		[] 450 COMMERCE
[] 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		[] 460 DEPORTATION
	[] 355 MOTOR VEHICLE PRODUCT LIABILITY		[] 840 TRADEMARK		[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 360 OTHER PERSONAL INJURY	[] 380 OTHER PERSONAL PROPERTY DAMAGE		SOCIAL SECURITY	[] 480 CONSUMER CREDIT
	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 385 PROPERTY DAMAGE			[] 485 TELEPHONE CONSUMER PROTECTION ACT
[] 160 STOCKHOLDERS SUITS		PRODUCT LIABILITY			
[] 190 OTHER CONTRACT CONTRACT PRODUCT LIABILITY			LABOR		
[] 195 FRANCHISE	ACTIONS UNDER STATUTES		[] 710 FAIR LABOR STANDARDS ACT		
	CIVIL RIGHTS		[] 720 LABOR/MGMT RELATIONS		
	[x] 440 OTHER CIVIL RIGHTS (Non-Prisoner)		[] 720 RAILWAY LABOR ACT		
REAL PROPERTY			[] 740 RAILWAY LABOR ACT		
[] 210 LAND CONDEMNATION	[] 441 VOTING	PRISONER CIVIL RIGHTS	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	FEDERAL TAX SUITS	
[] 220 FORECLOSURE	[] 442 EMPLOYMENT		[] 790 OTHER LABOR LITIGATION		
[] 230 RENT LEASE & EJECTMENT	[] 443 HOUSING/ACCOMMODATIONS	[] 550 CIVIL RIGHTS	[] 791 IRS-THIRD PARTY		
[] 240 TORTS TO LAND	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 555 PRISON CONDITION	26 USC 7609		
[] 245 TORT PRODUCT LIABILITY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			
[] 290 ALL OTHER REAL PROPERTY	[] 448 EDUCATION				

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
			<input type="checkbox"/> a. all parties represented			
			<input type="checkbox"/> b. At least one party is pro se.	<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)		

(PLACE AN X IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION	<input type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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BASIS OF JURISDICTION**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 3 <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 5 <input type="checkbox"/> 5	DEF <input type="checkbox"/> 5 <input type="checkbox"/> 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 2 <input type="checkbox"/> 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input type="checkbox"/> 4	<input type="checkbox"/> 4 <input type="checkbox"/> 4	FOREIGN NATION	<input type="checkbox"/> 6 <input type="checkbox"/> 6	<input type="checkbox"/> 6 <input type="checkbox"/> 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Bilal Smith - Bronx County NY

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Metropolitan Transportation Authority - 2 Broadway, New York NY

Metropolitan Transportation Authority Police Department - 420 Lexington Ave. NY NY

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Police Officer M. Griggs

John and Jane Does-Police Officers as yet unidentified

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

Steve S. Efron

DATE 6/16/2022

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

 NO YES (DATE ADMITTED Mo. January Yr. 1980)
Attorney Bar Code # SE1234

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)